

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALICE BOSSART, RAYMOND BERRY,

Plaintiffs,

v.

KING COUNTY, a political subdivision of
the State of Washington,

Defendant.

CASE NO. 2:24-cv-01776-JHC

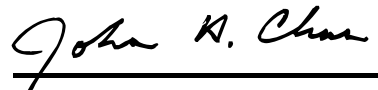
ORDER

Before the Court are pro se “Plaintiffs’ Rule 12(f) Motion to Strike Defendant’s Entire Response to Plaintiffs’ Motion for Summary Judgment *In Lieu* of a Reply in Support of Summary Judgment for Causes of Insufficiency, Immateriality, and Scandalous Lack of Candor,” Dkt. # 17, and pro se “Plaintiffs’ Motion Requesting Judicial Ruling on Plaintiffs’ Unopposed Rule 12(f) Motion to Strike Defendant’s Entire Response to Plaintiffs’ Motion for Summary Judgment *In Lieu* of a Reply in Support of Summary Judgment for Causes of Insufficiency, Immateriality, and Scandalous Lack of Candor,” Dkt. # 19. For the reasons below, the Court DENIES both motions.

Challenges under Federal Rule of Civil Procedure 12(f) are limited to challenges to pleadings, such as a complaint or answer. *See Sidney-Vinstein v. A.H. Robins Co.*, 697 F.2d 880, 885 (9th Cir. 1983). Plaintiffs' motion to strike improperly seeks to use Rule 12(f) to have the Court strike Defendant's response to Plaintiff's summary judgment motion. And even if the rule did apply to briefing, the Court does not see how Defendant's statements in their response falls within the substantive scope of the rule – much less warrant the striking of the whole document.¹ Thus, the Court DENIES the motion to strike.

The request for a judicial ruling is DENIED as moot, as the Court has now ruled on the motion to strike. But the Court also DENIES the motion because no legal authority supports it. The Court considers the filing of a motion to be a request that the Court rule on it. There is no need for a "follow-up" motion.

Dated this 11th day of February, 2025.



John H. Chun
United States District Judge

¹ The motion to strike challenges the arguments in Defendant's response, and the Court will consider the substance of the motion to strike in connection with Plaintiffs' summary judgment motion.